

EXHIBIT "1"

310 (Official Form 10) (12/07)

UNITED STATES BANKRUPTCY SOUTHERN DISTRICT OF <u>NEW YORK</u>		PROOF OF CLAIM
Name of Debtor: Lehman Brothers Holdings Inc.		Case Number: 08-13555 (JMP)
<i>NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.</i>		
Name of Creditor (the person or other entity to whom the debtor owes money or property): Developers Research, Inc.		<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim.
Name and address where notices should be sent: c/o Vincent M. Coscino, Esq. ALLEN MATKINS LECK GAMBLE MALLORY & NATSIS LLP 1900 Main Street, Fifth Floor Irvine, CA 92614-7321 Telephone number: (949) 553-1313		Court Claim Number: _____ (If known)
Name and address where payment should be sent (if different from above): Telephone number: _____		Filed on: _____
1. Amount of Claim as of Date Case Filed: \$ <u>32,450.00</u> If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4. If all or part of your claim is entitled to priority, complete item 5. <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.		5. Amount of Claim Entitled to Priority under 11 U.S.C. § 507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount. Specify the priority of the claim. <input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). <input type="checkbox"/> Wages, salaries, or commissions (up to \$10,950*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier – 11 U.S.C. § 507 (a)(4). <input type="checkbox"/> Contributions to an employee benefit plan – 11 U.S.C. § 507 (a)(5). <input type="checkbox"/> Up to \$2,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use – 11 U.S.C. § 507 (a)(7). <input type="checkbox"/> Taxes or penalties owed to governmental units – 11 U.S.C. § 507 (a)(8). <input type="checkbox"/> Other – Specify applicable paragraph of 11 U.S.C. § 507 (a)(____). Amount entitled to priority: \$ _____ <small>*Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.</small>
2. Basis for Claim: <u>Services rendered pursuant to a written agreement. SEE ATTACHMENT.</u> (See instruction #2 on reverse side.)		
3. Last four digits of any number by which creditor identifies debtor: _____ 3a. Debtor may have scheduled account as: _____ (See instruction #3a on reverse side.)		
4. Secured Claim (See instruction #4 on reverse side.) Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information. Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe: Value of Property: \$ _____ Annual Interest Rate _____ % Amount of arrearage and other charges as of time case filed included in secured claim, if any: \$ _____ Basis for perfection: _____ Amount of Secured Claim: \$ _____ Amount Unsecured: \$ _____		
6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.		
7. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements or running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See definition of "redacted" on reverse side.) DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING. If the documents are not available, please explain:		
Date: 11/14/2008	Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any. DEVELOPERS RESEARCH, INC. (949) 861-3300 LAURA OLDHAM Its: Corporate Secretary 2151 Michelson Dr., Ste. 190, Irvine, CA 92612	FOR COURT USE ONLY NOV 26 2008

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

COPY

1 UNITED STATES BANKRUPTCY COURT
2 SOUTHERN DISTRICT OF NEW YORK

3 ATTACHMENT TO PROOF OF CLAIM

4 Case No: 08-13555 (JMP)

5 Debtor: Lehman Brothers Holdings Inc. ("Debtor")

6 Claimant: Developers Research, Inc. ("DR")

7 DR asserts the following claims against the Debtor's bankruptcy estate:

8 I. BACKGROUND

9 A. The Service Contract

10 DR and the Debtor entered into a certain service contract dated February 1, 2008 and
11 signed by the Debtor on February 8, 2008 (the "Service Contract"). Pursuant to the Service
12 Contract, DR provided, among other things, project consultant services and construction
13 management services for the Debtor's development project referred to as Pacific Point located in
14 San Juan Capistrano, California. Pursuant to the Service Contract, DR was to receive set monthly
15 fees for certain services performed. Pursuant to the Service Contract, the parties agreed that the
Debtor would pay to DR a project consultant service fee for the initial month of the project of
\$31,765. Thereafter, Debtor was to pay DR \$17,450 per month for project consultant services.
Construction management services were priced at \$15,000 per month. A true and correct copy of
the Service Contract is attached hereto as Exhibit "1".

16 DR performed all of the services required under the Service Contract. Based on its
17 services rendered, DR delivered to the Debtor an invoice dated August 27, 2008, for one month of
18 project consultant services and construction management services in the aggregate amount of
\$32,450.00 (the "Invoice"). The Invoice was never paid by the Debtor, in whole or in part, and a
true and correct copy of the Invoice is attached hereto as Exhibit "2". On September 15, 2008, the
Debtor filed for protection under chapter 11 of the Bankruptcy Code.

19 II. DR'S CLAIM

20 As of the date of this Proof of Claim, **\$32,450.00** is due and owing under the Service
21 Contract (plus, to the extent applicable, interest, costs, and fees).

22 DR reserves the right to amend, modify or supplement this Proof of Claim. Each and
23 every document attached to this Proof of Claim is incorporated by and is hereby made a part of
this Proof of Claim. By filing this Proof of Claim, DR intends to provide notice to the Debtor:
24 (a) of any and all claims set forth in the exhibits attached hereto and the documents incorporated
herein; (b) that DR asserts any and all of its rights and remedies it has at law or under the operative
25 documents, including any and all cross or counter claims; and (c) nothing in this Proof of Claim is
intended to limit DR's rights against any third party or any rights it has at law or in equity.

26 All notices regarding this Proof of Claim should be sent to Allen Matkins Leck Gamble
27 Mallory & Natsis LLP, 1900 Main Street, Fifth Floor, Irvine, CA 92614, Attention Vincent M.
Coscino, Esq., Facsimile Number: (949) 553-8354.